THE HON'BLE MR. JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.26842 of 2007

Date:14.12.2007

Between:
Dr.Pasupuleti Sujatha..

… Petitioner

AND
Vijayawada Municipal Corporation, reptd.,
Its Commissioner, I Town, Vijayawada and
another

… Respondents

Counsel for the petitioner: Sri D.Hanumanth Rao.

Counsel for the respondents: Smt.G.Jhansi.

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THE HONOURABLE MR.JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.26842 of 2007

ORDER:-

This Writ Petition is filed for a Writ of Mandamus to declare the action of the respondents in putting up flag posts on the petitioner's property as a part of road widening process in respect of Kambray road, Vijayawada, without following due process of law, as illegal and violative of Article 300-A of the Constitution of India.

Heard Sri D.Hanumantha Rao, learned counsel for the petitioner and Sri N.Purushottam Reddy, learned Counsel, representing Smt. G.Jhansi, learned Standing Counsel for Vijayawada Municipal Corporation.

The learned counsel for the petitioner submitted that though the respondents have not initiated any proceedings under relevant law for acquisition of the property belonging to the petitioner, they have placed flag posts on his land with a view to widen Kambray road.

The learned counsel representing the respondents submitted that the respondents would not affect the structures belonging to the petitioner or take over any part of the property of the petitioner without following due process of law.

In view of this statement of the learned Standing Counsel for the respondents, the Writ Petition is disposed of. The respondents shall not interfere with the petitioner's property without following the procedure prescribed by law.

C.V.NAGARJUNA

REDDY,J
14-12-2007
MNR